

# MANDATE

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT  
THURGOOD MARSHALL U.S. COURT HOUSE  
40 FOLEY SQUARE, NEW YORK, N.Y. 10007

Catherine O'Hagan Wolfe  
CLERK OF COURT

Date: 4/29/08  
Docket Number: 07-5427-pr  
Short Title: Rodriguez v. USA

DC Docket Number: 07-cv-8567  
DC: SDNY (NEW YORK CITY)  
DC Judge: Honorable Kimba Wood

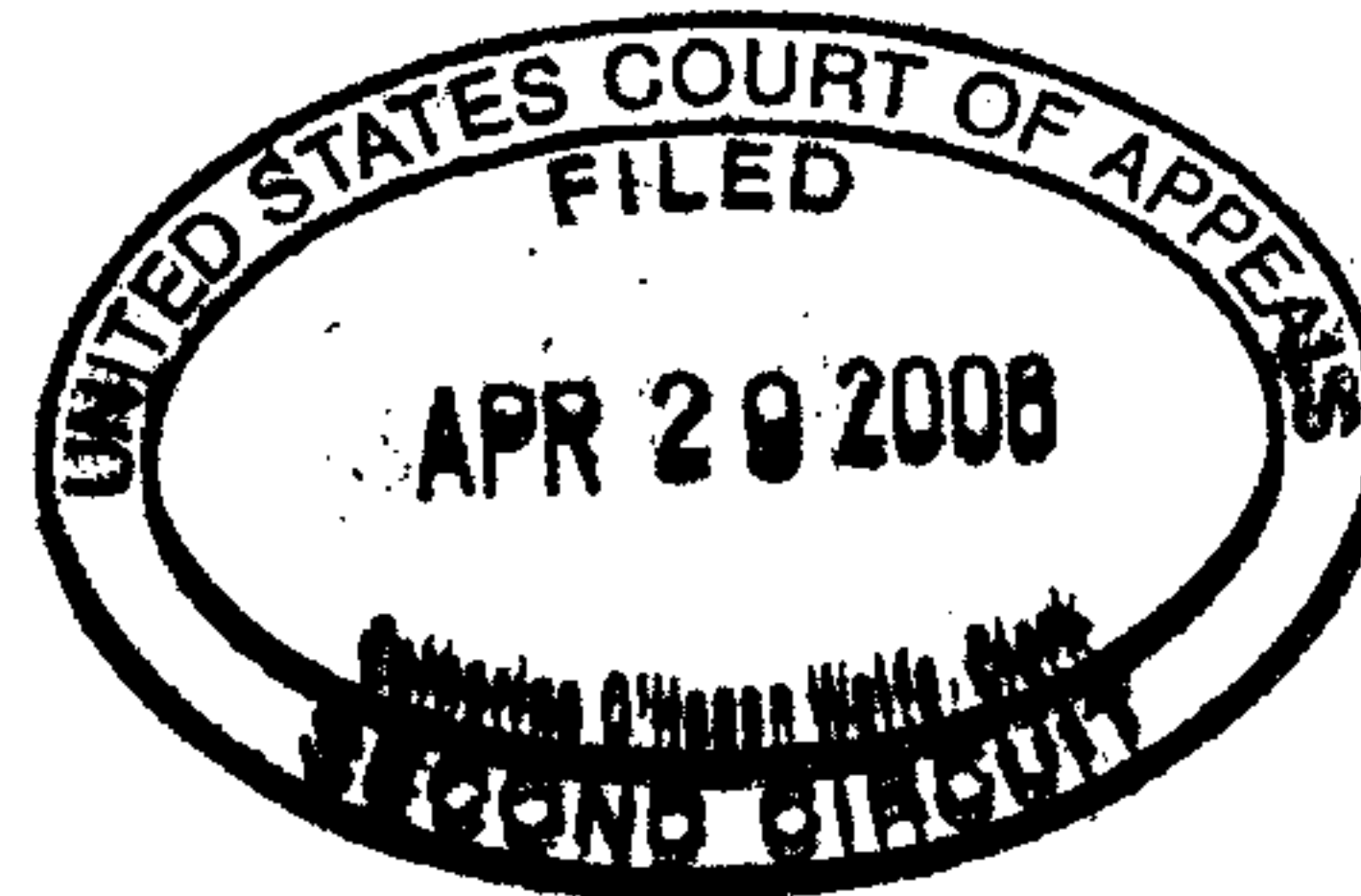
At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 28th of April, two thousand eight.

Jaime Rodriguez,

Petitioner-Appellant,  
v.

United States of America,

Respondent-Appelle.



Petitioner having filed a Notice of Appeal from an order denying relief in an application brought under the provisions of 28 U.S.C. Section 2255, and it appearing that the District Court denied petitioner's request for a Certificate of Appealability, the Court of Appeals construed the Notice of Appeal as a motion for Certificate of Appealability, requesting that petitioner comply with this Court's Local Rule 22(a), by submitting, within 21 days of the initial request, a motion in support of a Certificate of Appealability in which petitioner identified each issue to be raised on appeal and provided facts and a brief statement of reasons showing that petitioner had been denied a constitutional right.

Petitioner having failed to comply with the Second Circuit Local Rule 22(a), it is **ORDERED** that petitioner's request for a Certificate of Appealability is **DENIED** and **DISMISSED** with prejudice. Any motions pending prior to the entry of this order of dismissal are deemed **MOOT**.

For the Court:  
Catherine O'Hagan Wolfe, Clerk  
By: Gislaine Phillip  
Gislaine Phillip, Deputy Clerk

A TRUE COPY  
Catherine O'Hagan Wolfe, Clerk  
by Gislaine Phillip  
Deputy Clerk

ISSUED AS MANDATE APR 29 2008



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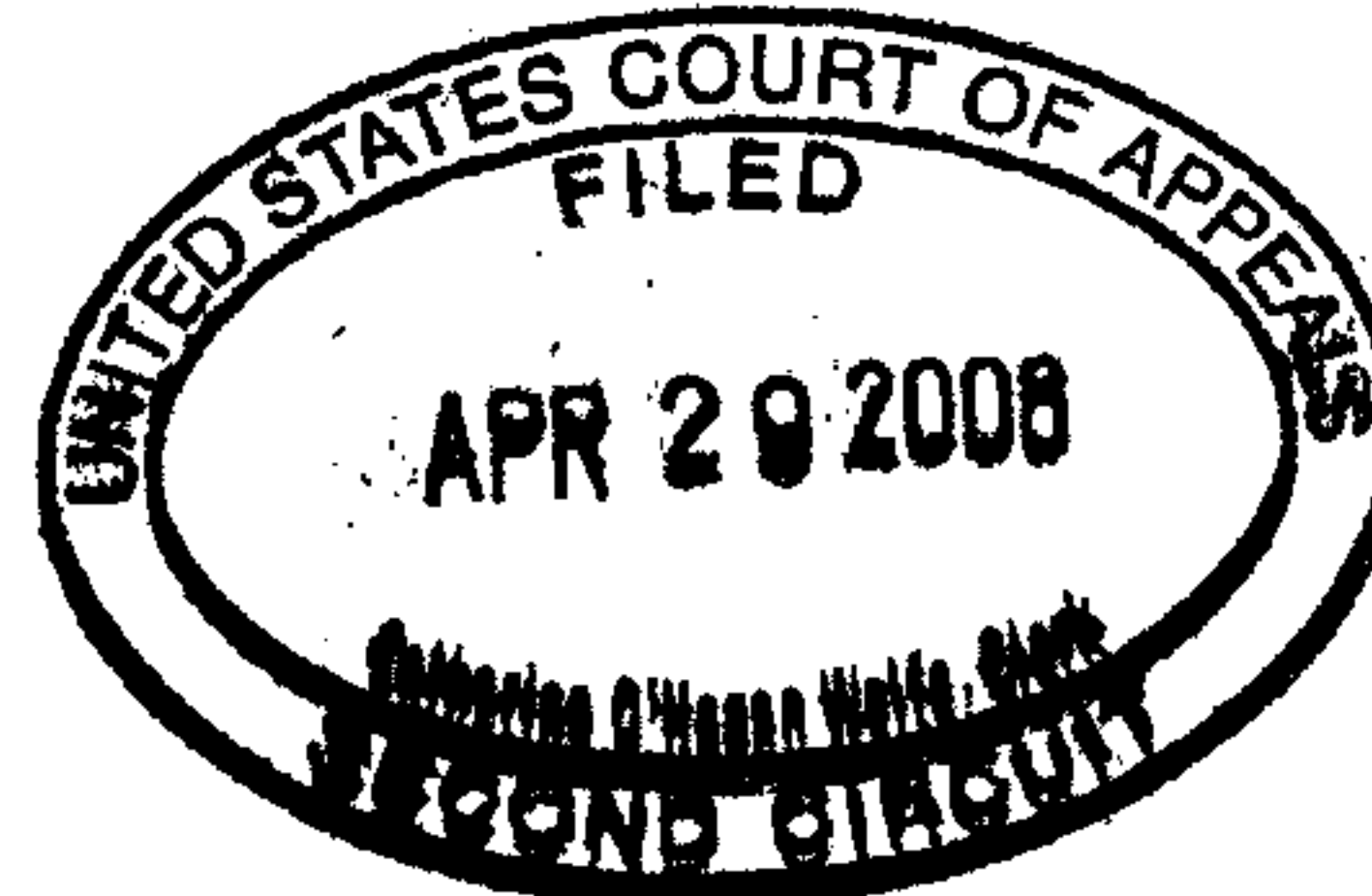
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THE MANDATE CONSISTING OF  
ITEMS BELOW, HAS BEEN RECEIVED  
( ) OPINION ( ) STATEMENT OF COSTS  
(☒) ORDER

RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

For the Court:  
Catherine O'Hagan Wolfe, Clerk  
By: Gislaine Phillip  
Gislaine Phillip, Deputy Clerk